

POLICE DEPARTMENT
LEGAL BUREAU
DOCUMENT PRODUCTION UNIT, ROOM 110C
ONE POLICE PLAZA
NEW YORK, N.Y. 10038

January 10, 2022

Disclosure # 1

MOS: RIZZO
TAX: 955390

Disclosure # 1

I/A # 2017-9846

Allegation: Missing Property - from Person – Prisoner - Fail to Safeguard - Not Vouchered Prisoner Prop -
Jewelry

Narrative:

On Saturday March 18, 2017 at 2340 hours the following complaint came in direct from a MOS. The details are as follows;

Sgt. REDACTED is calling to report the fact that a person came back into the precinct to collect his vouchered property and he is alleging that he is missing one white metal cross pendant. REDACTED came into the precinct to pick up his vouchered property after being arrested on 03/17/2017 for CPW. When receiving his property he states that he is missing one white metal cross pendant. Sgt. REDACTED states he completed a complaint report for lost property in regards, complaint number REDACTED.

At 2355 hours an ICIS check revealed no prior related logs.

At 0006 hours an Omniform check revealed arrest number REDACTED in regards that shows the arresting officer is PO Rizzo 955390.

At 0008 hours a PETS check revealed 4 vouchers in regards to this arrest.

Invoice REDACTED is arrest evidence.

Invoice REDACTED is safe keeping-jewelry.

Invoice REDACTED is safe keeping-general property.

Invoice REDACTED is safe keeping-vehicle.

All vouchers are attached, none of them have a white metal cross pendant listed.

At 0030 hours after conferral with Captain John he recommends a callout to the geographical in the A.M.

0755 hours, 03/19/17, I notified SGT REDACTED, Group 34(covering for Group 32)

Disposition: Unsubstantiated - Unsubstantiated

Investigating Officer Closing Notes/Penalty:

I am adding this allegation of Failure to Safeguard Prisoners property because the complainant states that he last saw the property in the cells of the 67 precinct.

Disclosure # 2

I/A # 2018-15310

Allegation: Disputed Stop of a Person - No Enforcement Action Taken - Questioned and Frisked - Fail to Prepare Report - Stop Question Frisk Report - Fail to Prepare Report - TRI Report - Use of Force - Level 2

Narrative:

On 04/21/18 at 1000 hrs. I received a complaint via CCRB REFERRAL #REDACTED, which states the following in sum and substance: Her son REDACTED was walking home from a youth fellowship at Clarendon Road Church, when a black Chevy approached him. REDACTED panicked and ran because he had recently been mugged and thought he was about to be mugged again. REDACTED noticed the Officers were chasing him. While REDACTED was running he heard an Officer say Stop or we'll shoot over a microphone, so he stopped and put his hands up. REDACTED states REDACTED was tackled by PO1 and frisked. PO2 along with other officers began questioning him and was then let go.

PO1-Male white, late 30's, 5'10, 200 pounds, average built, brown hair, plainclothes-black beanie, black jacket, and black pants.

PO2-Male black, in his 30's-40's, 6'0, 200 pounds, average built, wore black vest that read POLICE in white across the bottom, and was wearing something orange.

1005 hrs. ICMS check yield no prior log.

1015 hrs. FORMS check yield no STP nor TRI report.

OMNI check yield no results.

Disposition: Unsubstantiated – Unsubstantiated – Unsubstantiated - Unsubstantiated

Investigating Officer Closing Notes/Penalty:

It cannot be definitively determined that Officer Rizzo was present during this incident.

Disclosure # 3

I/A # 2018-42609

Allegation: Fail to Properly Handle Landlord Tenant Dispute

Narrative:

On Tuesday October 30, 2018 at 1130 hours while at the command center I received OCD/CCRB# REDACTED which reported this summarized complaint from REDACTED;

complainant stated that he is in the process of evicting the tenants in his basement apartment, but the tenants keep calling 911 and making "bogus" complaints. The complainant is upset that the officers keep responding to said complainants.

1200 hours; I conducted an ICMS check which did not reveal an associated log.

1210 hours: I conducted a DASLITE check which revealed ICAD# REDACTED and REDACTED. According to DASLITE PO Rizzo tax# 955390 (67 pct), Sgt. REDACTED (67 pct), PO REDACTED (67 pct) and PO REDACTED (67 pct).

Disposition: Unsubstantiated

Investigating Officer Closing Notes/Penalty:

A thorough investigation of the incident revealed that there is insufficient evidence to prove or disprove the above listed allegation. After speaking with all individuals involved in the matter, the I/S determined that there is not enough corroborating evidence to uphold REDACTED claims that the listed MOS failed to properly handle an ongoing residency dispute between him and his tenants. Without any other available evidence, the I/S is closing the allegation of, FAIL TO PROPERLY HANDLE LANDLORD/TENANT DISPUTE, is being closed with a final disposition of: UNSUBSTANTIATED. No further action is being taken at this time.

Disclosure # 4

I/A # 2019-16975

Allegation: Force - Physical Force - FADO Force - Physical Force - Disputed Search of a Vehicle - Enforcement Action Taken - Arrest/Summons - FADO Abuse of Authority - Search of a Vehicle - Enforcement Action Taken - Use of Force - Level 2 - FADO Discourtesy - Word - Threaten to - Use Force - FADO Abuse of Authority - Threaten to - Use Force - Prisoner Incident - Injured Prior to NYPD Custody - MOS Involved - Fail to Prepare Report - TRI Report

Narrative:

CCRB WILL INVESTIGATE THE FADO ALLEGATIONS AGAINST UNIFORMED MEMBERS OF THE SERVICE CONTAINED IN THIS LOG. THE NYPD WILL INVESTIGATE ALL OTHER ALLEGATIONS, INCLUDING FADO ALLEGATIONS AGAINST CIVILIAN MEMBERS OF THE SERVICE. THE INFORMATION PERTAINING TO THESE ALLEGATIONS AND THE SUBSEQUENT INVESTIGATION IS CONFIDENTIAL.

On Wednesday, May 1st, 2019 at 0454 hours, Police Officer REDACTED received a telephone call at Cisco Ext. #REDACTED, from 911 Operator #REDACTED, who connected complainant, REDACTED, who in sum and substance states the following: On April 30th, 2019 at approximately 2200 hours, the complainant was sitting inside his double-parked vehicle, in front of 764 East 45 Street in Brooklyn, with a friend, REDACTED whose last name he does not know, when several plainclothes Officers approached his vehicle and pulled him out of his car. One of the Officers stated, "Stop resisting. Do you want me to punch you in your fucking face?" Then the Officers threw him to the ground and pulled his hands and arms back behind him to handcuff him, while one of the Officers put his foot on his head. The complainant states that his left shoulder is sore and he has scratches on his face. The officers searched his vehicle and found a small amount of marijuana. The complainant was issued a summons for the marijuana, uncuffed and released. The complainant did not go to the hospital after the incident, but states he will be going today.

ICMS query revealed no prior logs in regard to this incident.

ICAD System query revealed ICAD # REDACTED, which is attached.

ARCS query revealed unfinalized Roll Call for the 67 Precinct, for 04/30/19, 2nd Platoon, which shows P.O. Rizzo, Tax # 955390, assigned to a Cease Fire Unit, possibly working with P.O.REDACTED, and P.O.REDACTED..

0620 hours: Sgt. REDACTED attempted to access the body-worn camera footage from P.O. Rizzo's camera to review it, but it was not available.

****5/7/2019**SPIN OFF LOG # 19-17869 WAS CREATED TO ADDRESS THE **FADO-FORCE FADO AUTHORITY**

Disposition: Unsubstantiated - Info. and Intelligence – Unsubstantiated - Info. and Intelligence – Unsubstantiated - Info. and Intelligence – Unsubstantiated - Info. and Intelligence – Unsubstantiated - Substantiated

Investigating Officer Closing Notes/Penalty: PO Rizzo failed to prepare a TRI as required.

Disclosure # 5

I/A # 2019-17779

Allegation: Disputed Arrest

Narrative:

On Tuesday May 7, 2019 at 0650 hours, I Det. VREDACTED received OCD/CCRB# REDACTED from Complainant REDACTED which in sum and substance states the following:

The following narrative was obtained from a message REDACTED Lancaster left on the call processing system on April 17, 2019:

On April 7, 2019, at approximately, 11:30AM, at Clarkson Avenue in Brooklyn, officers arrested REDACTED for possession of marijuana. Mr. Lancaster keeps getting arrested for "no reason."

*There were approximately eight officers present; however, the officer involved was:

*PO1= Sgt. REDACTED, male, of the 67th Precinct, white, about 30-35 years old, in plainclothes, in an unmarked Ford Escape and Ford Taurus.

OMNI search reveals Arrest# REDACTED Arresting Officer PO Rizzo tax# 955390

TAMP W/PHYS EV:CONCEAL/DESTROY

#02 No PL 221.15 M A 1 CRIM POSS MARIHUANA-4TH:>2 OZS

#03 No PL 221.10 01 M B 1 CRIM POSS MARIHUANA-5TH:PUBLIC

Disposition: Unsubstantiated

Investigating Officer Closing Notes/Penalty:

A thorough investigation of the incident revealed that there is insufficient evidence to prove or disprove the above listed allegation. After speaking with the MOS involved in the matter, the I/S determined that PO Rizzo acted within accordance of Department guidelines and the New York State Penal Law in his approach,

encounter and subsequent arrest of REDACTED. More than that, the I/S reviewed the official BWC footage attached to the event, and determined that the subject officer's recollection of the incident was truthful and accurate. However, since the complainant could not be reached for comment, the allegation of, DISPUTED ARREST, is being closed with a final disposition of: UNSUBSTANTIATED. No further action is being taken at this time.

Disclosure # 6

I/A # 2020-6193

Allegation: Damage to Complainant's Property - While Vouchered - Additional Information Prior Log - Fail to Provide Name/Shield - FADO Abuse of Authority - Fail to Provide Name/Shield - Other Dept Rules/Procedures Violation -

Narrative:

On February 26, 2020 at 2209 hours, I received a call from Lt. REDACTED of the 67 Precinct who stated the following:

REDACTED stated that on 2/26/20 at approximately 2042 hours, C/V, REDACTED entered the 67 Precinct Station House to retrieve his vehicle which was invoiced on 2/25/20 at 2257 hours during his arrest. Upon retrieval of his 2004 BMW 3 Series, Florida registration #REDACTED, C/V alleges that the sunroof panel of the vehicle was damaged by officers while the vehicle was in police custody. Lt. REDACTED advised that the vehicle was invoiced on property clerk invoice number REDACTED by PO Salvatore Rizzo, Tax # 955390 of Intel. PO Rizzo is also the arresting officer.

2230 hours, ICMS query returned no related logs.

2234 hours, review of PCI # REDACTED vehicle invoicing inspection indicates that vehicle is in poor condition, however no specific damage is reported on the invoice. Invoice attached to ICMS.

Disposition: Unsubstantiated - Info. and Intelligence – Unsubstantiated - Info. and Intelligence - Unsubstantiated

Investigating Officer Closing Notes/Penalty:

I/O conducted an investigation into this matter. The C/V was lawfully arrested for possession of a controlled substance. The C/V's car was inventoried and properly vouchered. According to the S/O the vehicle was extensive interior and exterior damage. S/O denied causing any damage to the C/V's vehicle. C/V alleged that he asked the S/O for his name/shield and the name of the other person who interviewed him. S/O stated that he did provide this information but was unsure who interviewed the C/V with him. S/O also stated that he has no recollection of the C/V asking for water but did state that if he did it would have been provided. S/O stated that there would be no reason to deny the C/V food or water because the precinct has McDonald's on hand for prisoners. S/O stated that while effecting the arrest that C/V flailed his arms causing the S/O to have to grab them and place them behind his back. I/O reviewed the TRI and the C/V hospital records and showed that C/V sustained minor injuries to his wrist from the handcuffs. Review of body cam footage so no wrong doing.